

REMARKS

In response to the non-final office action of September 27, 2004, applicant asks that all claims be allowed in view of the amendment to the claims and the following remarks.

Claims 1-50 are now pending, of which claims 1, 11, 18, 25, 33 and 41 are independent. In this amendment, claims 1-5, 11-15, and 18-22 have been amended and claims 25-50 have been added. Amended claims 1, 11 and 18 find support in the specification at least at page 10, line 28 to page 11, line 7 and FIGS. 5 and 6. Amended claims 3, 13, 20 and new claims 39 and 45 find support in the specification at least at page 17, line 25 to page 18, line 16 and original claims 3, 13 and 20. Amended claims 4, 14, 21 and new claims 40 and 46 find support in the specification at least at page 17, line 25 to page 18, line 16 and original claims 4, 14 and 21. New claims 28, 36 and 49 find support in the specification at least at page 10, lines 1-2. New claims 29, 37 and 50 find support in the specification at least at page 10, lines 3-4. Applicant asserts that no new matter has been added.

Allowable Subject Matter (New Claims 25-40)

Applicant acknowledges with appreciation the Examiner's indication that claims 5, 6, 15, 16, 21 and 22 would be allowable if written in independent form including all limitations of the base claim and any intervening claims. See Office Action of September 27, 2004 at page 4, lines 4-6. In response, allowable aspects of have been integrated into independent claim 25, and dependent claim 26 that corresponds to claim 6 has been added. Accordingly, applicant submits that claims 25 and 26 are now allowable.

In addition, claims 27-32 have been added to depend from the newly added independent claim 25. The subject matter of added claims 27-32 is supported, for example, by the subject matter of original claims 2-4 and the specification at page 10, lines 1-4. Applicant submits that new claims 27-32 are allowable at least by virtue of dependency on independent claim 25.

Independent claim 33 and dependent claims 34-40 have been added. Claim 33 recites an apparatus configured to, *inter alia*, associate, with an accessed shape point, a spatial identifier of a portion of a multiple-level grid hierarchy that corresponds to the accessed shape point. The apparatus is also configured to identify locations of interest that are associated with the spatial

identifier of the portion of the multiple-level grid hierarchy. Thus, the apparatus recited in claim 33 includes the features that correspond to original claim 5 – namely: a multiple-level grid hierarchy, associating, with an accessed shape point, a spatial identifier of a portion of the multiple-level grid hierarchy, and identifying locations of interest that are associated with a spatial identifier of a portion of the multiple-level grid hierarchy. For the reasons discussed above with respect to allowable subject matter of dependent claim 5, applicant submits that claim 33 is allowable, and claims 34-40 are allowable at least by virtue of dependency on independent claim 33.

Rejection under Section 102

Claims 1-4, 7, 9-14, 17-20, 23 and 24 were rejected under 35 U.S.C. § 102 as being anticipated by U.S. Patent No. 6,543,814 (Polidi). Applicant requests reconsideration and withdrawal of the rejection because Polidi does describe or suggest the subject matter of independent claims 1, 11 and 18.

Claim 1 recites a method of determining locations of interest for a route. The method includes, *inter alia*, accessing shape points that correspond to a route from an origin to a destination and accessing grid information that delineates a region of geography independently of the route, where the grid information includes portions. The method also includes identifying a particular portion of a grid that corresponds to a shape point, where the particular shape point is one of the shape points that correspond to the route. The method also includes identifying locations of interest that are associated with the identified portion of the grid and identifying at least some of the identified locations of interest as locations of interest for the route. Claims 11 and 18 each recite similar features in the context of a computer-readable medium and a system, respectively. Claims 2-10, 12-17, and 19-24 depend from claims 1, 11, or 18, respectively.

Polidi discloses techniques for “providing a display of points of interest in conjunction with a vehicle navigation system.” See Polidi at Abstract. Polidi refers to points of interest as POI's. In general, Polidi displays all points of interest that occur within a predetermined distance of a route or current location of a vehicle. More particularly, Polidi also discloses displaying all points of interest that occur within a predetermined distance of the current vehicle location. See Polidi at FIG. 3A and col. 4, lines 39-40 (stating “the system identifies points of interest within a

specified distance of the current [vehicle] location.”). Polidi discloses displaying all points of interest that occur within a predetermined distance of a route when a vehicle is following a predetermined route or the current route being traveled. See Polidi at FIG. 3B and col. 5, lines 59-65 (stating “the POI’s within a predetermined distance of the calculated route or the current route are identified using a corridor search. The corridor search displays all POI’s within a predetermined distance of the current route or the calculated route.”). See also Polidi at FIG. 3B and col. 4, lines 60-63 (stating “[i]f the vehicle is traversing such a [predetermined] route, a search for relevant POI’s along the calculated route is made.”). Polidi also discloses displaying all points of interest that occur within a predefined or user-defined radius of the current location. See Polidi at FIG. 3B and col. 5, lines 22-25 (stating “the search is conducted within a predetermined or user-defined radius of the current [vehicle] location.”). In an embodiment, Polidi discloses use of a corridor associated with a route, in which the corridor has dimensions based on a predetermined or user-specified distance and points of interest falling outside of the corridor are not included in the points of interest displayed for a route. See Polidi at col. 4, line 67 to col. 5, line 5.

Hence, Polidi shows identifying a point of interest based on a predetermined or user-specified distance from a point of interest to the route, the current vehicle location, or a corridor related to the route. As such, Polidi does not describe or suggest identifying a particular portion of a grid that corresponds to a shape point or identifying locations of interest that are associated with an identified portion of a grid. Moreover, Polidi does not describe or suggest accessing grid information that delineates a region of geography independently of the route, wherein the grid information includes portions, as recited in amended claim 1.¹

Notably, the Office Action states that Polidi discloses identifying a portion of a grid that corresponds to a shape point and identifying locations of interest that are associated with the identified portion of the grid and cites column four in support. See Office Action of September 27, 2004 at page 2, lines 22-24. Applicant respectfully disagrees. The cited portion of Polidi discloses a vehicle navigation system that includes a display console and map database that stores positional data to describe road intersections, road segments, points of interest, and other

¹ The underlined portion was added by this amendment, and, naturally, was not addressed by the Office action.

geographical information. See Polidi at col. 3, line 36 to col. 4, line 34. In column four, Polidi also discloses that when the system is started points of interest within a specified distance of a current location are identified and displayed. See Polidi at col. 4, lines 35-50 and FIG. 3A. In the cited portion, Polidi also discloses identifying a search for relevant points of interest along the route. See Polidi at col. 4, lines 51-67 and FIG. 3B. Thus, the cited portion of Polidi discloses searching for points of interest within a predetermined distance of a vehicle location or route. However, identifying a point of interest based on a distance does not describe or suggest identifying a portion of a grid that corresponds to a shape point or identifying locations of interest that are associated with the identified portion of the grid, as recited in claim 1.

Moreover, because Polidi's corridor is associated with and based on the route, Polidi does not describe or suggest accessing grid information that delineates a region of geography independently of a route, much less grid information includes portions, as recited in amended claim 1.

For at least these reasons, applicant requests reconsideration and withdrawal of the rejection of claim 1 and claims 2-4, 7, 9 and 10, which depend directly or indirectly from claim 1.

Similarly to independent claim 1, independent claims 11 and 18 each recite identifying a portion of a grid that corresponds to a shape point, and identifying locations of interest that are associated with the identified portion of the grid. Accordingly, for the reasons noted above with respect to claim 1, applicant requests withdrawal of the rejection of claims 11 and 18 along with their respective dependent claims 12-14, 17, 19, 20, 23 and 24.

Rejection under Section 103

Claim 8 was rejected under 35 U.S.C. § 103 as being unpatentable in view of Polidi and the use of personal digital assistants. Specifically, although the Office action concedes that Polidi does not explicitly disclose using a personal digital assistant to display the identified locations of interest, the Office action maintains that the use of a personal digital assistant to display a map including locations of interest is well known. Applicant traverses.

Specifically, applicant requests reconsideration and withdrawal of the rejection because the suggested combination of Polidi and the use of a personal digital assistant to display a map

including locations of interest does not describe or suggest the subject matter of independent claim 1, from which claim 8 depends. More particularly, through its dependence on claim 1, claim 8 requires accessing grid information that delineates a region of geography independently of the route, a limitation not met by Polidi, personal digital assistant art, or the proposed combination of them. For at least the reason of the dependency of claim 8 on independent claim 1, applicant requests withdrawal of the rejection of claim 8.

Newly Added Claims 25-40

Independent claim 25 and claims 26-32 depending therefrom have been added. For the reasons discussed above with respect to claims 25-32 in the section titled "Allowable Subject Matter," applicant submits that new claims 25-32 are allowable.

Independent claim 33 and claims 34-40 depending therefrom have been added. For the reasons discussed above with respect to claims 33-40 in the section titled "Allowable Subject Matter," applicant submits that new claims 33-40 are allowable.

Newly Added Claims 41-48

Newly added independent claim 41 recites a method of determining locations of interest for a route. The method includes, *inter alia*, accessing grid information that delineates a region of geography independently of a route from an origin to a destination. The grid information includes portions. The method also includes identifying a portion of the grid that corresponds to a particular portion of the route and identifying locations of interest that are associated with the identified portion of the grid.

At least for the reasons described above with respect to amended independent claim 1, applicant submits that claim 41 is allowable, and claims 42-48 are allowable at least by virtue of dependency on independent claim 41.

Newly Added Claims 49 and 50

Each of claims 49 and 50 depend from independent claim 1. At least for the reason of that dependency, applicant submits that claims 49 and 50 are allowable.

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Conclusion

It is believed that all of the pending issues have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this reply should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this reply, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

Pursuant to 37 CFR §1.136, applicant hereby petitions that the period for response to the action dated September 27, 2004, be extended for one month to and including January 27, 2005.

Enclosed is a check in the amount of \$2020.00 for excess claim fees (\$1900.00) and for the Petition for Extension of Time fee (\$120.00). Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

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